

memorandum

DATE: June 23, 1999

REPLY TO
ATTN OF: Office of Environmental Policy and Assistance (EH-413) Stephens: 6-5942

SUBJECT: **Federal Facilities Compliance with Section 6002 of the Resource Conservation and Recovery Act**

TO: Distribution

PURPOSE To notify DOE elements of the U.S. Environmental Protection Agency (EPA) "*Guidance on Conducting Inspections of Federal Facilities for Compliance with Section 6002 of the Resource Conservation and Recovery Act (RCRA)*," issued on May 12, 1999.

BACKDROP Executive Order 13101, "Greening the Government through Waste Prevention, Recycling and Federal Acquisition" stipulates that EPA is to prepare guidance for use in determining Federal facilities compliance with RCRA §6002.

RCRA §6002 requires that government agencies increase their purchases of products containing recovered materials (i.e., affirmative procurement of waste materials and by-products that have been recovered or diverted from solid waste). RCRA §6002 requires:

- EPA to designate items that are or can be produced with recovered material, and to recommend practices for the procurement of designated item by procuring agencies (Comprehensive Procurement Guidelines); and,
- Federally funded procuring agencies and their contractors to buy designated items with the highest recovered material content.

The Comprehensive Procurement Guidelines (CPG) contain a list of EPA-designated items and product categories, and Recovered Materials Advisory Notices issued by EPA recommend recycled-content ranges for CPG products.^{1&2}

INSPECTION GUIDANCE CONTENT The purpose of the guidance is to assist EPA and State inspectors in determining a Federal facilities compliance with RCRA section 6002. The guidance is to be used by inspectors when conducting RCRA or multi-media inspections with a RCRA component. Authorized States are not required to use the guidance, but are being encouraged by EPA to do so. EPA has provided this guidance to regional offices and has instructed inspectors to begin using this guidance as soon as possible, but not later than July 4, 1999.

Initially, EPA will focus on field level awareness of RCRA §6002 requirements by distributing a questionnaire to the facility and inspecting motor vehicle activities if they exist for compliance with affirmative procurement provisions.

¹EH-413 Environmental Guidance Regulatory Bulletin, dated March 1998, subject: "*Second Comprehensive Guideline for Procurement of Products Containing Recovered Materials*" [<http://tis.eh.doe.gov/oeпа/guidance/rcra/procure2.pdf>]

²EH-413 Environmental Guidance Regulatory Bulletin, dated January 1996, subject: "*Comprehensive Guideline for Procurement of Products Containing Recovered Materials*" [<http://tis.eh.doe.gov/oeпа/guidance/rcra/recovreg.pdf>]

The facility questionnaire is designed to gauge the facility's level of awareness and compliance with RCRA §6002. The facility manager and the facility procurement manager will be required to complete the questionnaire and return it to EPA Headquarters within two weeks of the inspection. *A sample facility questionnaire is included in the guidance.*

Inspection of motor vehicle activities will entail a visit to the facility's motor vehicle maintenance shop. Inspectors will inspect the facility and ask questions geared towards determining the facility's use of CPG products, such as re-refined oils and lubricants, retread tires and reclaimed engine coolant. In addition, the inspector will complete a checklist and return it to EPA Headquarters. *The inspection procedures and a sample checklist are included in the guidance.*

The information gathered by EPA during the inspections will be compiled into a report to be submitted to the Federal Environmental Executive who reports to the President annually. Although the initial focus of EPA's inspection activities will be on information collection and compliance awareness, future efforts may be more procurement process and operations oriented. As interpreted by EPA, violations of RCRA §6002 by government agencies do not give rise to administrative penalty actions or orders, but EPA does have the authority to issue notices of violation (NOV) and enter into compliance agreements. Furthermore, citizens (including CPG-item vendors) may bring an action under the RCRA citizen suit provisions for violations of §6002.

**ACCESS
&
ADD'L
INFO**

The guidance is available for viewing/downloading via the INTERNET on the EH- 41 World Wide Website at <http://www.eh.doe.gov/oepa/guidance/rcra/6002.pdf>. Information about DOE's Affirmative Procurement Program, including guidance on compliance with RCRA 6002 and Executive Order 13101, can be found on the EM Office of Pollution Prevention website at http://gerweb.bdm.com/cfdocs/aprs/AP98_toc.htm. For more information about CPG designated items, refer to EPA's homepage at <http://www.epa.gov/cpg/products.htm>. Questions concerning the information herein may be directed to Beverly Stephens of my staff by:

- calling (202) 586-5942
- faxing messages to (202) 586-0955
- communicating electronically, via internet, to beverly.stephens@eh.doe.gov

Thomas T. Traceski
Director, RCRA/CERCLA Division
Office of Environmental Policy and Assistance

Guidance on Conducting Inspections of Federal Facilities for Compliance with Section 6002 of the Resource Conservation and Recovery Act

May 12, 1999

This guidance is intended to assist EPA and State compliance inspectors determine compliance with EPA guidelines on procuring recycled content products by all Federal facilities. To promote compliance with the guidelines, this guidance is being made available to Federal facilities.

INTRODUCTION: On September 14, 1998, President Clinton signed Executive Order 13101: "Greening the Government Through Waste Prevention, Recycling and Federal Acquisition." Section 403 of the Order directed that EPA develop guidance for inspections of Federal facilities for compliance with the buy-recycled program established under section 6002 of the Resource Conservation and Recovery Act (RCRA). The guidance is to be used by EPA whenever the Agency conducts RCRA inspections or multi-media regulatory compliance inspections where RCRA compliance is a component of the inspection. The guidance may also be used by States authorized to conduct inspections under RCRA.

EXECUTIVE ORDER 13101 GREENING THE GOVERNMENT THROUGH WASTE PREVENTION, RECYCLING, AND FEDERAL ACQUISITION

Sec. 403. Federal Facility Compliance. (a) Within 6 months of the date of this order, the Administrator of the EPA shall, in consultation with the Federal Environmental Executive, prepare guidance for use in determining Federal facility compliance with section 6002 of RCRA and the related requirements of this order.

(b) EPA inspections of Federal facilities conducted pursuant to RCRA and the Federal Facility Compliance Act and EPA "multi-media" inspections carried out at Federal facilities will include, where appropriate, evaluation of facility compliance with section 6002 of RCRA and any implementing guidance.

(c) Where inspections of Federal facilities are carried out by authorized States pursuant to RCRA and the Federal Facility Compliance Act, the Administrator of the EPA will encourage those States to include evaluation of facility compliance with

section 6002 of RCRA in light of EPA guidance prepared pursuant to subsection (a), where appropriate, similar to inspections performed by the EPA. The EPA may provide information and technical assistance to the States to enable them to include such considerations in their inspection.

(d) The EPA shall report annually to the Federal Environmental Executive on the results of inspections performed by the EPA to determine Federal facility compliance with section 6002 of RCRA not later than February 1st for those inspections conducted during the previous fiscal year.

I**NSPECTION FOCUS:** EPA has determined that for the first year of implementation, inspection activities carried out pursuant to section 403 of the Order should focus primarily on information collection. EPA compliance assistance programs will use this information to promote Federal facility awareness of, and compliance with, RCRA section 6002 requirements. To ensure federal facility compliance with RCRA section 6002 in the future, EPA's response to non-compliance with that section may change.

E**NFORCEMENT:** Violations of RCRA section 6002 by federal agencies do not give rise to administrative penalty actions or orders under RCRA's enforcement authorities. This conclusion does not, however, limit EPA's authority to issue notices of violation (NOV) or enter into compliance agreements at Federal facilities for violations of RCRA section 6002 that are discovered through the inspections mandated by Executive Order 13101. Moreover, citizens may take action pursuant to RCRA section 7002 for violations of RCRA 6002 requirements.

B**ACKGROUND:** When the Resource Conservation and Recovery Act (RCRA) was enacted in 1976, Congress stated that objectives of the statute included the conservation of resources through recycling. Recognizing that recycling works best if there are markets for the materials collected, Congress directed the Federal government to employ its purchasing power to help create and sustain those markets by buying products manufactured with the collected materials. Section 6002 of RCRA establishes the Federal program that directs federal purchasing decisions for recycled content products.

B**UY RECYCLED PROGRAM:** Section 6002 of RCRA establishes a Federal buy-recycled program. RCRA section 6002(e) requires EPA to: (1) designate items that are or can be made with recovered materials and (2) prepare guidelines to assist procuring agencies in complying with affirmative procurement requirements set forth in subsections (c), (d), and (i) of section 6002. Once EPA has formally designated items, section 6002 requires that any procuring agency using

appropriated Federal funds must purchase those items composed of the highest percentage of recovered materials practicable.

RCRA §6002: Federal Procurement

(c)(1) ... each procuring agency which procures any items designated in such guidelines shall procure such items composed of the highest percentage of recovered materials practicable

(e) The Administrator shall ... prepare ... guidelines for the use of procuring agencies Such guidelines shall designate those items which are or can be produced with recovered materials

P **ROCURING AGENCIES:** For the purposes of RCRA section 6002, procuring agencies include the following:

1. any Federal agency;
2. any State or local agencies using appropriated Federal funds for a procurement, or
3. any contractors with these agencies (with respect to work performed under the contract).

The requirements of RCRA section 6002 apply to such procuring agencies only when procuring designated items where the price of the item exceeds \$10,000 or the quantity of the item purchased in the previous year exceeded \$10,000. The \$10,000 threshold applies to all purchases made by an entire agency rather than regional or local offices (e.g., Department of the Interior, Department of Defense, etc). Most Federal agencies exceed the \$10,000 threshold for EPA designated items.¹

C **PG ITEMS:** The Comprehensive Procurement Guidelines (CPG) designate those items that must contain recycled content when purchased by Federal agencies. The CPG acknowledges, however, that specific circumstances may arise that preclude the purchase of products made with recovered materials.

¹ Section 403 of Executive Order 13101 states that inspections carried out under the Order 13101 are to be conducted at Federal facilities; state and local agencies using appropriated funds will not be included in these inspections. Government owned , contractor operated (GOCO) facilities are considered Federal facilities for the purposes of this guidance.

... for the EPA-designated guideline items, ... and for all future designated guideline items, agencies shall ensure that their affirmative procurement programs require 100 percent of their purchases of products to meet or exceed the EPA guideline unless written justification is provided that a product is not available competitively within a reasonable time frame, does not meet appropriate performance standards, or is only available at an unreasonable price. (EO 13101, Sec. 402 (c)).

Designated items that **do not** contain recovered materials may be purchased if it is determined that:

1. the price of a given designated item made with recovered materials is unreasonably high,
2. there is inadequate competition (not enough sources of supply),
3. unusual and unreasonable delays would result from obtaining the item, or
4. it does not meet the agency's reasonable performance specifications.

DESIGNATED ITEMS: To date, the EPA Comprehensive Procurement Guidelines (CPG) program has designated 36 products in 8 product categories. In 1998, EPA proposed to designate an additional 19 products; EPA expects those products to be formally listed in June of 1999. EPA research indicates that the designated items are of high quality, are widely available, and cost-competitive with products made from virgin materials. Moreover, Government procurement of these products will create markets for a variety of recycled materials that make up a large part of the municipal waste stream, including various types of paper, used tires, oil and antifreeze, plastics, steel, and yard debris. Purchase of the guideline items also creates markets for non-hazardous industrial wastes that are generated in large quantities, such as coal fly ash and blast furnace slag.

A key component of the CPG program is EPA's list of designated products and the accompanying recycled content recommendations. EPA has already designated or has proposed designating the products listed below. EPA has also published final or proposed recycled content recommendations for each item. All proposals, designations and recommendations are published in the *Federal Register*. Additional information on the CPG designated items and content recommendations can be found on the World Wide Web at

<http://www.epa.gov/cpg/products.htm>

EPA Designated and Proposed CPG Items

CONSTRUCTION PRODUCTS

Designated:

- Building insulation products
- Polyester Carpet
- Cement and concrete containing:
 - Coal fly ash
 - Ground granulated blast furnace slag
- Consolidated and reprocessed latex paint
- Floor tiles
- Laminated paperboard
- Patio blocks
- Shower and restroom dividers/partitions
- Structural fiberboard

Proposed:

- Carpet backing
- Carpet cushion
- Flowable fill
- Railroad grade crossings/surfaces

LANDSCAPING PRODUCTS

Designated:

- Garden and soaker hoses
- Hydraulic mulch
- Lawn and garden edging
- Yard trimmings compost

Proposed:

- Food waste compost
- Landscaping timbers and posts (plastic lumber)

NON-PAPER OFFICE PRODUCTS

Designated:

- Binders (paper, plastic covered)
- Office recycling containers
- Office waste receptacles
- Plastic desktop accessories
- Plastic envelopes
- Plastic trash bags
- Printer ribbons
- Toner cartridges

Proposed:

- Plastic binders (solid)
- Plastic clipboards
- Plastic clip portfolios
- Plastic file folders
- Plastic presentation folders

PAPER AND PAPER PRODUCTS

Designated:

- Commercial/industrial sanitary tissue products
- Miscellaneous papers
- Newsprint
- Paperboard and packaging products
- Printing and writing papers

Proposed:

- None at this time.

PARK AND RECREATION PRODUCTS

Designated:

- Plastic fencing
- Playground surfaces
- Running tracks

Proposed:

- Park and recreational furniture
- Playground equipment

TRANSPORTATION PRODUCTS

Designated:

- Channelizers
- Delineators
- Flexible delineators
- Parking stops
- Traffic barricades
- Traffic cones

Proposed:

- None at this time.

VEHICULAR PRODUCTS

Designated:

- Engine coolants
- Re-refined lubricating oils
- Retread tires

Proposed:

- None at this time.

MISCELLANEOUS PRODUCTS

Designated:

- Pallets

Proposed:

- Sorbents
- Awards and plaques
- Industrial drums
- Mats
- Signage
- Strapping and stretch wrap

RECOVERED MATERIAL RECOMMENDATIONS: For each of the designated and proposed products, EPA has issued a Recovered Materials Advisory Notice (RMAN) which establishes the recommended recycled content level for a given product. In most circumstances, minimum content recommendations are provided for both postconsumer recycled content and recovered material levels. "Postconsumer material" means a material or finished product that has served its intended use and has been diverted or recovered from waste destined for disposal, having completed its life as a consumer item. "Postconsumer material" is part of the broader category of "recovered material." "Recovered materials" mean waste materials and byproducts that have been recovered or diverted from solid waste, but such term does not include those materials and byproducts generated from, and commonly reused within, an original manufacturing process. Exhibit 1 below provides an example of such an RMAN for the product "Building Insulation."

Exhibit 1: EPA's Recommended Recovered Materials Content Levels for Building Insulation

Product	Material	Postconsumer Content (%)	Total Recovered Materials Content (%)
Rock Wool	Slag	--	75
Fiberglass	Glass Cullet	--	20-25
Cellulose Loose-Fill and Spray-On	Postconsumer Paper	75	75
Perlite Composite Board	Postconsumer Paper	23	23
Plastic Rigid Foam, Polyisocyanurate/ Polyurethane: Rigid Foam			
Foam-in-Place	--	--	9
Glass Fiber	--	--	5
Reinforced	--	--	6
Phenolic Rigid Foam	--	--	5
Plastic, Non-Woven Batt	Recovered and/or Postconsumer Plastics	--	100

In other circumstances, where specific recycled material content is not appropriate or where on-site management of the designated items may be more effective, the RMAN may indicate a preference for an activity over a given level of recovered material. An example of this type of RMAN, for engine coolants, is presented in Exhibit 2 below.

Exhibit 2: Recommended Recovered Materials Content Ranges - Coolants:

EPA recommends that procuring agencies whose vehicles are serviced by a motor pool or vehicle maintenance facility establish a program for engine coolant reclamation and reuse that consists of either reclaiming the spent engine coolants onsite for use in the agencies' vehicles or establishing a service contract for reclamation of the agencies' spent engine coolant for use in the agencies' vehicles.

EPA also recommends that procuring agencies request reclaimed engine coolant when having their vehicles serviced at commercial service centers. Additionally, EPA recommends that agencies purchase reclaimed engine coolant when making direct purchases of this item, such as when necessary to make up for losses due to leakage or spillage

EPA does not recommend one type of engine coolant over another. EPA recommends, however, that procuring agencies purchase engine coolant containing only one base chemical, typically ethylene glycol or propylene glycol, to prevent the commingling of incompatible types of engine coolant.

To facilitate ease of implementation, the EPA RMAN documents also include known product specifications as well as product information such as product manufacturers and suppliers.

INSPECTION GUIDANCE:

During initial implementation of the requirement for EPA inspections at Federal facilities for compliance with RCRA 6002, EPA has elected to focus on field level awareness of the RCRA 6002 requirements. As such, inspections at Federal facilities pursuant to RCRA and the Federal Facility Compliance Act and EPA "multi-media" inspections carried out at Federal facilities, will include;

- 1) distribution of a questionnaire to the facility and,
- 2) inspection of the facility motor vehicle maintenance activities (where such activities exist) for compliance with RCRA 6002 .

Motor vehicle maintenance activities were selected for this effort due to the:

- 1) common presence of such activities at a broad range of Federal facilities,
- 2) significant awareness and availability of products and services that meet the EPA guidelines for vehicular products and,
- 3) likelihood that RCRA inspections would normally be conducted at these locations.

Inspectors should become familiar with the basic concepts of the CPG program and are requested to briefly outline to facility personnel EPA's authority for both generating the CPG designations under RCRA section 6002 and conducting inspections under section 403 of EO 13101. While the introduction and background to this document provide a brief overview on this topic, inspectors should contact RCRA personnel or the Federal Facility Coordinator in their Region for additional information. Inspectors may also wish to contact the RCRA hotline at 800-424-3323 or search the Internet at <http://www.epa.gov/cpg/products/htm> for further information.

FACILITY QUESTIONNAIRE: Attached to this document is a questionnaire including a matrix addressing facility purchase and use of CPG items. The questionnaire and matrix should be provided to the facility environmental manager for response. The questionnaire requests that the manager, in coordination with the facility procurement manager, provide a response to each written question and complete the matrix. Once completed, the entire package is to be mailed to EPA Headquarters by the facility within two weeks of the inspection.

INSPECTION: The CPG designation of "Vehicular Products" has been in existence for a lengthy period of time and has received considerable attention in the Federal community. Therefore, during the first year of implementing the inspections called for in EO 13101, EPA has elected to gather information on facility compliance with this aspect of the CPG program.

Inspectors should visit the facility motor vehicle maintenance facility if one exists. If the facility is large and has more than one vehicle maintenance/service facility, the inspector should request visit the largest facility (shop) which deals with cars, trucks and or tactical vehicles. If no motor vehicle maintenance activities occur at the facility, certain questions in the following list may be still relevant.

These recommended inspection protocols and questions are based on the EPA CPG designated items in the category of **Vehicular Products** and reflects the RMAN for those products. Some additional background questions are also included.

INSPECTION PROCEDURES AT A SPECIFIC FEDERAL FACILITY MOTOR VEHICLE MAINTENANCE SHOP

RE-REFINED OILS AND LUBRICANTS:

BACKGROUND: Re-refined lubricating oils include engine lubrication oil, hydraulic fluids, and gear oils. EPA's designation specifically excludes marine and aviation oils. The recycling of used oil has evolved from simply removing water, insolubles, and dirt, to the more complicated removal of heavy metals, nitrogen, chlorine, and oxygenated compounds. Today, re-refined lubricating oil is subject to the same stringent refining, compounding, and performance standards as virgin oil for use in automotive, heavy-duty diesel, and other internal combustion engines, hydraulic fluids, and gear oils. In addition, extensive laboratory testing and field studies have concluded that re-refined oil is equivalent to virgin oil, passes all prescribed tests, and can even outperform virgin oil. In fact, the three major U.S. automobile manufacturers now recognize that re-refined oil meets the performance criteria in their warranties.

While oil that is removed from vehicles may be disposed of as a waste, it is generally kept for pick-up by a recycling contractor. In some circumstances, the facility may burn the used oil in its boilers to "recover" the heating value of the oil.

RMAN for RE-REFINED OILS: Recommended Recovered Materials Content Ranges:

EPA recommends that procuring agencies set their minimum re-refined oil content standard at the highest level of re-refined oil that they determine meets the statutory requirements of RCRA section 6002(c)(1), but no lower than 25 percent re-refined oil.

EPA recommends that procuring agencies review their procurement practices and eliminate those which would inhibit or preclude procurement of lubricating oils containing re-refined oil. For example, procuring agencies should avoid the practice of inviting bids and issuing contracts to do the following:

- Supply a broad range of lubricating oil products on an “all or none” basis.
- Supply lubricating oils for an excessively long period of time.
- Deliver lubricating oils to geographic locations throughout the United States or to an excessively broad geographic area.
- Supply excessively large contract quantities.

The Defense Logistics Agency (DLA) offers re-refined engine lubricating oils for diesel and non-diesel vehicles. DLA also offers closed loop contracts for used oil removal and supply of re-refined oil.

General questions:

Approximately how many vehicles (including aircraft) are serviced by the shop annually?
What type of vehicles are serviced? (e.g., sedans, trucks, heavy equipment, aircraft)

Specific questions regarding shop use of oil and lubricants:

What is the estimated annual consumption of oil and lubricants in the shop?

Does the shop use re-refined oil for replacement engine lubricating oils?

Does the shop use re-refined oil for replacement hydraulic fluids?

Does the shop use re-refined oil for replacement gear oils?

If the shop does not use re-refined oils for any or all of the uses, are they aware of the RCRA/CPG requirement to do so?

If they are aware of the requirement to do so yet still do not use re-refined oils, what is their explanation for not using these products?

Does their facility procurement process allow them to purchase re-refined oil? If not, what are the barriers to such purchases?

Do they purchase oil for use in the shop using a government charge card at a commercial vendor (e.g., K-Mart or Sears) outside of the facility?

What is the fate of used oil removed from the facility’s vehicles?

If the oil is sent out to a recycler, do they know if it ultimately used for energy recovery or if it is re-refined?

Shop inspection protocol:

Inspectors should ask to see the oil containers used by the facility. If the shop uses re-refined products, these products can be recognized quickly by the label on the oil container. At some facilities a bulk distribution apparatus that is fed by 55 gallon (or larger) drums of oil is used for shop distribution of engine lubricating oils and hydraulic fluids. Like quart cans and one or five gallon jugs, these drums are generally marked if their contents contain re-refined oil; the bulk distribution may not

contain any markings reflecting re-refined content. Inspectors should record and include in their inspection report whether the oil being used for engine lubrication, hydraulic fluid and gear oils is re-refined.

RETREAD TIRES

BACKGROUND: For most cases, retread tires can be driven under the same conditions and at the same speeds as new tires with no loss in safety or comfort. In fact, retread tires have been safely used on school buses, trucks, cars, fire engines, and other emergency vehicles for years. Retreading tires also helps conserve a valuable nonrenewable resource—oil. Every year, retreading saves more than 400 million gallons of oil in North America. Retread tires also help divert thousands of scrap tires from disposal each year.

RMAN for RETREAD TIRES: Recommended Recovered Materials Content Ranges:

EPA recommends that procuring agencies purchase either tire retreading services for worn tires or retread tires as replacement tires. The U.S. Army Tank-automotive Command (TACOM) recently replaced the U.S. General Services Administration (GSA) as manager of tires, although GSA still offers retreading services contracts for medium truck-bus tires. TACOM offers a specification, Qualified Products List, and list of suppliers for retread tires. TACOM also is offering an inspection program to assure the quality of retreading operations.

Questions regarding shop use of retread tires:

Approximately how many tires does the shop replace annually?

What type(s) of tires does the shop use (i.e., bus, heavy truck, medium truck, light truck, off-road, passenger vehicle)?

Does the shop use retread tires? If so, for which types of tires?

Does the shop have in place an agreement or contract with a “retreader” to retread the facility’s tires?

If the shop does not use retread tires for any or all of the uses, are they aware of the RCRA/CPG requirement to do so?

If they are aware of the requirement to do so yet still do not use retread tires, what is their explanation for not using these products?

Does their facility procurement process allow them to purchase retread tires? If not, what are the barriers?

Do they purchase retread tires for use in the shop using a government charge card at a commercial vendor (e.g., Bandag, Goodyear, or other retreader) outside of the facility?

What is the fate of used tires removed from the facility’s vehicles?

Shop inspection protocol: Inspectors should be aware that a facility might be using retread truck tires but not retread passenger tires because of availability problems or performance concerns. Inspectors should ask to see replacement tires stored for use by the facility. If the shop uses retread products, these products can generally be recognized quickly by the label on the side of the tire or actual

markings remaining from the retread process. If there are vehicles in the shop for repair, inspectors should determine whether the tires on a representative sample of those vehicles are retread tires. Inspectors should record and include in their inspection report whether the tires being used at the facility are retread tires.

ENGINE COOLANT

BACKGROUND: Recycled engine coolants, also known as antifreeze, might actually be purer than virgin coolant because the recycling process reduces the chlorides that come from hard water. Testing shows that, like new coolant, recycled coolant meets nationally recognized performance specifications established by the American Society for Testing Materials (ASTM) and the Society of Automotive Engineers (SAE).

RMAN for Engine Coolants: Recommended Recovered Materials Content Ranges:

- EPA recommends that procuring agencies whose vehicles are serviced by a motor pool or vehicle maintenance facility establish a program for engine coolant reclamation and reuse that consists of either reclaiming the spent engine coolants onsite for use in the agencies' vehicles or establishing a service contract for reclamation of the agencies' spent engine coolant for use in the agencies' vehicles.
- EPA also recommends that procuring agencies request reclaimed engine coolant when having their vehicles serviced at commercial service centers. Additionally, EPA recommends that agencies purchase reclaimed engine coolant when making direct purchases of this item, such as when necessary to make up for losses due to leakage or spillage.
- EPA does not recommend one type of engine coolant over another. EPA recommends, however, that procuring agencies purchase engine coolant containing only one base chemical, typically ethylene glycol or propylene glycol, to prevent the commingling of incompatible types of engine coolant.

Specific questions regarding shop use of engine coolants:

How frequently is the coolant changed in each vehicle?

What is the estimated average annual usage of coolant in this shop?

Does the shop use reclaimed engine coolant?

Does the shop have in place an agreement or contract with a vendor to reclaim the facility's used coolant?

Does the shop have on-site, a reclamation device to reclaim used coolant?

If the shop does not use reclaimed coolant, are they aware of the RCRA/CPG requirement to do so?

If they are aware of the requirement to do so yet still do not use reclaimed coolant, what is their explanation for not using this product?

Does their facility procurement process allow them to purchase reclaimed coolant? If not, what are the barriers to such purchases?

Do they purchase coolant (reclaimed or virgin) for use in the shop using a government charge card at a commercial vendor (e.g., K-Mart or Sears) outside of the facility?

What is the fate of used coolant removed from the facility's vehicles?

Shop inspection protocol: Inspectors should ask to see the area where engine coolants are stored for use by the facility. If the shop uses reclaimed coolant, these products can generally be recognized by the label on container. Inspectors should record and include in their inspection report how storage and disposal of engine coolants is handled at the facility.

INSPECTORS:

**SEE ATTACHED INSPECTOR CHECK LIST
(Attachment 1)**

**Please provide attached questionnaire to facility contact.
(Attachment 2)**

**INSPECTOR CHECKLIST FOR
INSPECTIONS OF FEDERAL FACILITIES FOR
COMPLIANCE WITH SECTION 6002 OF THE
RESOURCE CONSERVATION AND RECOVERY ACT**

Note to inspectors: If the facility has no motor vehicle maintenance shop, please provide the Inspection Questionnaire to the facility and note on the top of this form that the facility does not maintain vehicles onsite. If the facility has more than one motor vehicle maintenance shop, please indicate whether the response to questions listed below reflect practices at the entire facility or only the shop(s) inspected.

Re-refined oils and lubricants:

Background questions:

Approximately how many vehicles are serviced for replacement or addition of oils and lubricants by the shop or facility annually? _____

What type of vehicles are serviced? (e.g., sedans, trucks, heavy equipment, aircraft)

Specific questions regarding use of oil and lubricants:

What is the estimated annual consumption of oil and lubricants in the shop?

Motor oil: _____ gallons

other lubricants: _____ gallons

Approximately how frequently is the engine oil replaced in facility vehicles?

Every _____ miles *or* _____ months

Does the facility or shop test the oil to determine if replacement is needed?

yes _____ *no* _____

Does the shop or facility use re-refined oil for replacement engine lubricating (motor) oils?

yes _____ *no* _____

Does the shop or facility use re-refined oil for replacement hydraulic fluids?

yes _____ *no* _____

Does the shop or facility use re-refined oil for replacement gear oils?

yes _____ *no* _____

Do shop containers containing unused oils and other lubricants indicate these products are re-refined?

Oil - *yes* _____ *no* _____
Hydraulic fluids - *yes* _____ *no* _____
Gear oils - *yes* _____ *no* _____

Is the shop or facility aware of the RCRA/CPG requirement to use re-refined oils or lubricants?
yes _____ *no* _____

If the facility is aware of the requirement to use re-refined oils and lubricants and still does not use these products, what is their explanation for not using these products?

Re-refined is too expensive _____
Specifications don't allow use of re-refined _____
Re-refined is not available _____
Other _____

Where does the shop or facility purchase oil and other lubricants?

Commercial bulk vendor (e.g., Safety Kleen) *yes* _____ *no* _____
Govt. vendor (e.g., DLA, GSA) *yes* _____ *no* _____
Local commercial vendor (e.g., auto supply) *yes* _____ *no* _____
Other _____

Do shop or facility personnel purchase oil or other lubricants for use in the shop using a government charge card or account at a commercial vendor (e.g., K-Mart or Sears) outside of the facility? *Always* _____ *Occasionally* _____ *Never* _____

What is the fate of used oil removed from the facility's vehicles?

Disposed of as hazardous waste _____
Picked up by vendor for "recycling" _____
Reused at facility for heating fuel _____
Other _____

If the oil is collected or sent out to a recycler, is it ultimately used for energy recovery or is it re-refined? *Energy recovery* _____ *Re-refined* _____ *Don't know* _____

RETREAD TIRES:

Background questions:

Approximately how many tires does the shop or facility replace annually? _____

What type(s) of replacement tires does the shop or facility use?

Bus *yes* _____ *no* _____
Heavy truck *yes* _____ *no* _____
Pickup truck *yes* _____ *no* _____

Passenger vehicle *yes* _____ *no* _____
Other _____

Specific questions regarding the use of retread tires:

Does the shop or facility install retread tires on facility vehicles onsite? *yes* _____ *no* _____

If yes, for which types of tires?

Bus _____
Heavy truck _____
Pickup truck _____
Passenger vehicle _____
Other _____

Does the shop or facility have in place an agreement or contract with a “retreader” to retread the facility’s tires? *yes* _____ *no* _____

Does the shop or facility use an outside service or vendor for tire replacement?

yes _____ *no* _____

If yes, does that vendor offer retread tires? *yes* _____ *no* _____ *don’t know* _____

If yes, does the facility purchase these tires? *yes* _____ *no* _____

Is the shop or facility aware of the RCRA/CPG requirement to use retread tires?

yes _____ *no* _____

If the shop or facility is aware of the requirement to do so yet still do not use retread tires, what is the explanation for not using these products?

Retread tires are “unsafe” _____
Specifications don’t allow use of retread tires _____
Retread tires are not available to the facility _____
Other _____

Does the shop or facility purchase retread tires for use in the shop using a government charge card or account at a commercial vendor (e.g., Bandag, Goodyear, or other retreader) outside of the facility? *Always* _____ *Occasionally* _____ *Never* _____

How are used tires disposed of by the facility?

ENGINE COOLANTS:

Background questions:

Approximately how many vehicles are serviced for replacement or addition of coolants by the shop or facility annually? _____

What type of vehicles are serviced? (e.g., sedans, trucks, heavy equipment)

Specific questions regarding shop of facility use of engine coolants:

Where does the shop or facility purchase coolant (reclaimed or virgin)?

Commercial bulk vendor (e.g., Safety Kleen) *yes* _____ *no* _____

Govt vendor (DLA, GSA) *yes* _____ *no* _____

Local commercial vendor (e.g. auto supply) *yes* _____ *no* _____

Other _____

Approximately how frequently is the coolant changed in each vehicle?

Every _____ miles *or* _____ months?

What is the estimated average annual usage of coolant in this shop or facility?

_____ gallons

Does the shop or facility use reclaimed engine coolant?

yes _____ *no* _____

Does the shop or facility have in place an agreement or contract with a vendor to reclaim the facility's used coolant? *yes* _____ *no* _____

Does the shop or facility have on-site, a reclamation device to reclaim used coolant?

yes _____ *no* _____

Is the shop aware of the RCRA/CPG requirement to use reclaimed coolant? *yes* _____ *no* _____

If the facility is aware of the requirement to do so yet still do not use reclaimed coolant, what is the explanation for not using this product?

Reclaimed coolant is not effective _____

Specifications don't allow use of reclaimed coolant _____

Reclaimed coolant is not available to the facility _____

Coolant reclamation devices are too costly _____

Other _____

Does the facility purchase coolant (reclaimed or virgin) for use in the shop using a government charge card at a commercial vendor (e.g., K-Mart or Sears) outside of the facility?

How does the facility dispose of coolant that is removed from facility vehicles (and is not reclaimed)? _____

Please add any additional observations regarding this inspection.

Inspectors are requested to forward a copy of this check sheet to the EPA Headquarters EO 13101 Program Manager within two weeks of the Federal facility inspection.

The checklist should be mailed to:

US Environmental Protection Agency
EO13101 Program Manager (mail code 2261A)
401 M Street SW
Washington, DC 20460

FACILITY QUESTIONNAIRE

This questionnaire is designed to determine the level of your facility's awareness of and compliance with the recycled content procurement requirements of Executive Order 13101, Section 6002 of the Resource Conservation and Recovery Act (RCRA), and the corresponding recommendations and guidance provided by EPA. Please respond to each of the questions and return the questionnaire within two weeks to the address printed at the end of this form.

THIS QUESTIONNAIRE SHOULD BE COMPLETED BY THOSE INDIVIDUALS MOST FAMILIAR WITH THE FACILITY'S ENVIRONMENTAL AND PROCUREMENT PROGRAMS.

List below the name, address and point of contact for your facility and the phone number, email address and position of facility personnel completing this questionnaire.

PLEASE PROVIDE A RESPONSE TO THE QUESTIONS LISTED BELOW. USE SPACE AT THE END OF THE QUESTIONNAIRE TO PROVIDE CLARIFICATION ON ANY RESPONSE; PLEASE REMEMBER TO INCLUDE THE QUESTION NUMBER WHEN PROVIDING ADDITIONAL INFORMATION OR CLARIFICATION.

#1a) Prior to the receipt of this questionnaire, was your facility's environmental manager aware of the requirements in RCRA 6002 for the procurement of EPA designated recycled content products? *yes* _____ *no* _____

#1b) Was your facility's procurement manager aware of the requirements in RCRA 6002 for the procurement of EPA designated recycled content products? *yes* _____ *no* _____

#2) Do you know whether your agency (i.e. Department of Defense, Department of Agriculture) has an Affirmative Procurement Program (APP) established to meet the requirements of EO 12873, EO 13101 and/or RCRA 6002? *yes* _____ *no* _____

If yes to #2, do you have a written or electronic copy of the APP for your agency? *yes* _____
no _____

#3) Does your facility have a policy or program which places a preference on procurement of items containing recycled content or manufactured from recovered materials? *yes* _____ *no* _____

If yes to #3, is the program formal (e.g., written policy signed by facility manager, director

or commander)? *yes* _____ *no* _____

If yes to #3, does your facility announce and publicize the program to potential and active vendors providing services or materials to the facility? *yes* _____ *no* _____

If yes, how does your facility accomplish this?

If yes to #3, how does your facility promote the program to facility and shop level personnel?

If yes to #3, does your facility monitor and review the effectiveness of the program including the tracking of purchases? *yes* _____ *no* _____

If yes to #3, which entity or office in your facility (e.g., supply - procurement -shop manager) is responsible for implementing the program? (list as many as appropriate)

#4) Does your facility's acquisition and/or procurement planning process investigate and/or emphasize the use of recycled content products? *yes* _____ *no* _____

If yes to #4, when you return this questionnaire, please provide a copy of a contract or procurement document or procurement policy that reflects the process described.

#5) Are personnel at your facility who are authorized to use government credit cards for procurement of items for use at your facility informed of the requirement to purchase designated recycled content products? *yes* _____ *no* _____

#6) Are records of credit card purchases of designated recycled content items maintained at your facility? *yes* _____ *no* _____

#7) Please list a sample of any items you know of that are purchased by your facility which contain recycled content or are manufactured from recovered materials **and are not on EPA's list of designated recycled content items** (that list is attached in matrix form to this document).

#8) Would you like to receive additional information regarding the Comprehensive Procurement Guidelines? *yes* _____ *no* _____

#9) Please list any items, issues or questions that are not part of this questionnaire that you feel should be included ?

Attached to this document is a matrix listing each of the EPA designated recycled content items. Please complete the matrix by placing an x in the appropriate box beside each item on the matrix.

EPA will be periodically updating this document and the guidance for inspectors. If you have additional suggestions or comments regarding this document, please add them to this page prior to returning it to EPA.

Please complete the attached matrix and return it along with this questionnaire and any other supporting documentation to:

US Environmental Protection Agency
EO13101 Program Manager (mail code 2261A)
401 M Street SW
Washington, DC 20460

Facility personnel are encouraged to contact the RCRA hotline at 800-424-9346 or search the Internet at <http://www.epa.gov/cpg/products/htm> or <http://www.ofee.gov/> for further information about the Federal Government Buy-Recycled Program.

Comprehensive Procurement Guidelines - Categories and Designated Items (Note: This table includes proposed CPG items as well as items designated final.) Please place a check in all appropriate boxes.	Not purchased by facility	Purchased - with no recycled content	Purchased - with recycled content	Purchased through services contractor	Don't know if purchased at facility
<u>VEHICULAR PRODUCTS</u>					
Engine coolants - antifreeze					
Re-refined lubricating oils -including motor oil					
Retread tires					
<u>CONSTRUCTION PRODUCTS</u>					
Building insulation products					
Carpet backing					
Carpet cushion					
Polyester carpet					
Cement and concrete					
Latex paint					
Floor tiles					
Laminated paperboard					
Patio blocks					
Shower and restroom dividers and partitions					

Comprehensive Procurement Guidelines - Categories and Designated Items	Not purchased by facility	Purchased - with no recycled content	Purchased - with recycled content	Purchased through services contractor	Don't know if purchased at facility
<u>CONSTRUCTION PRODUCTS</u> (cont)					
Structural fiberboard					
Flowable fill					
Railroad grade crossings /surfaces					
<u>LANDSCAPING PRODUCTS</u>					
Food waste compost					
Yard trimmings compost					
Landscape timbers and posts					
Garden and soaker hoses					
Hydraulic mulch					
Lawn and garden edging					
<u>NON-PAPER OFFICE PRODUCTS</u>					
Plastic binders					
Plastic clipboards					
Plastic clip portfolios					
Plastic file folders					

Comprehensive Procurement Guidelines - Categories and Designated Items	Not purchased by facility	Purchased - with no recycled content	Purchased - with recycled content	Purchased through services contractor	Don't know if purchased at facility
<u>NON-PAPER-OFFICE PRODUCTS</u> (cont)					
Plastic presentation folders					
Binders (paper, plastic covered)					
Office recycling containers					
Office waste receptacles					
Plastic desktop accessories					
Plastic envelopes					
Plastic trash bags					
Printer ribbons					
Toner cartridges					
<u>PAPER AND PAPER PRODUCTS</u>					
Printing and writing papers					
Newsprint					
Sanitary tissue					
Paperboard					
Packaging					

Comprehensive Procurement Guidelines - Categories and Designated Items	Not purchased by facility	Purchased - with no recycled content	Purchased - with recycled content	Purchased through services contractor	Don't know if purchased at facility
<u>PARK and RECREATION PRODUCTS</u>					
Playground equipment					
Park and recreational furniture					
Plastic fencing					
Playground surfaces					
Running tracks					
<u>TRANSPORTATION PRODUCTS</u>					
Channelizers					
Flexible delineators					
Parking stops					
Traffic barricades					
Traffic cones					
Delineators					
<u>MISCELLANEOUS PRODUCTS</u>					
Pallets					
Sorbents					

Comprehensive Procurement Guidelines - Categories and Designated Items	Not purchased by facility	Purchased - with no recycled content	Purchased - with recycled content	Purchased through services contractor	Don't know if purchased at facility
MISCELLANEOUS PRODUCTS					
Awards and plaques					
Industrial drums					
Mats					
Signage					
Strapping and stretch wrap					

If you responded yes to any items in column three, "Purchased with recycled content," please list below those items purchased with recycled content at or above the EPA recommended level.
